

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

April 27, 2006

In the Matter of
Middleton Dry Cleaners

Docket No. 2006-025
File No. RPAN-BO-06-H010-J
Middleton

RECOMMENDED FINAL DECISION

This matter is an appeal of a Reporting Penalty Assessment Notice (RPAN-BO-06-H010-J) issued by MassDEP to Middleton Dry Cleaners. On February 22, 2006, Middleton Dry Cleaners requested a simplified hearing.


On April 25, 2006, the Department filed a Motion to Dismiss based on its withdrawal of the Penalty Assessment Notice and requested that this matter be dismissed as moot. Based on the Department's withdrawal of the Penalty Assessment, I recommend granting the Motion and dismissing this appeal as moot, pursuant to 310 CMR 1.01(5)(a) 2 and 310 CMR 1.01(6)(a)15.f.iii.

NOTICE

This is a recommended final decision of the Presiding Officer. It has been transmitted to the Commissioner for his final decision in this matter. This decision is therefore not a final decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be appealed to

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD Service - 1-800-298-2207.

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Superior Court pursuant to M.G.L. c.30A. The Commissioner's final decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this recommended final decision or any portion of it, and no party shall communicate with Commissioner's office regarding this decision unless the Commissioner in his sole discretion, directs otherwise.

**This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.**

Ann Lowery
Presiding Officer

Adopted by Commissioner Robert W. Golledge, Jr., April 28, 2006.